



Atty. Dkt. No. 029488-0112

RCE  
JFW+

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Jay BUA  
Title: REDUCTION OF BREAST  
DENSITY WITH 4-  
HYDROXY TAMOXIFEN  
Appl. No.: 10/734,644  
Appl. Filing Date: 12/15/2003  
Examiner: B. Fetterolf  
Art Unit: 1642  
Confirmation Number: 9030

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. **Submission required under 37 C.F.R. §1.114:** (check items that apply)

a. Previously submitted:

[ ] Please enter and consider the amendment and/or reply previously filed on \_\_\_\_.

12/22/2006 SZEWDIE1 00000081 10734644

WASH\_1772996.1

-1-

01 FC:2801  
02 FC:2202  
03 FC:2252

395.00 OP  
75.00 OP  
225.00 OP

- Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_ but not considered.
- Please consider the arguments in the Appeal Brief or Reply previously filed on \_\_.
- Other \_\_.

b. Enclosed are:

- Amendment/Reply.
- Affidavit(s)/Declaration(s).
- Information Disclosure Statement.
- Form PTO/SB/08 with copies of \_\_ listed reference(s).
- Other .

Miscellaneous:

- Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_ months.

The filing fee is calculated below:

|  | Claims as Amended | Previously Paid For | Extra Claims Present | Rate              | Fee Totals |
|--|-------------------|---------------------|----------------------|-------------------|------------|
| RCE Fee 1.17(e):                                     |                   |                     |                      | \$790.00          | = \$790.00 |
| Total Claims:  | 25                | - 22                | = 3                  | x \$50.00         | = \$150.00 |
| Independents   | 2                 | - 3                 | = 0                  | x \$200.00        | = \$0.00   |
| First presentation of any Multiple Dependent Claims: |                   |                     | + \$360.00           | =                 | \$0.00     |
|  |                   |                     |                      | CLAIMS FEE TOTAL: | = \$940.00 |

[ X ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

|                          |   |            |   |           |
|--------------------------|---|------------|---|-----------|
| <input type="checkbox"/> | Extension for response filed within the first month:      | \$120.00   | 0 | \$0.00    |
| [ X ]                    | Extension for response filed within the second month:     | \$450.00   |   | \$450.00  |
| <input type="checkbox"/> | Extension for response filed within the third month:      | \$1,020.00 |   | \$0.00    |
| <input type="checkbox"/> | Extension for response filed within the fourth month:     | \$1,590.00 |   | \$0.00    |
| <input type="checkbox"/> | Extension for response filed within the fifth month:      | \$2,160.00 |   | \$0.00    |
|                          | EXTENSION FEE SUBTOTAL:                                   |            |   | \$450.00  |
|                          | EXTENSION FEE ALREADY PAID:                               |            | - | \$0.00    |
|                          | EXTENSION FEE TOTAL                                       |            |   | \$450.00  |
|                          | CLAIMS AND EXTENSION FEE TOTAL:                           |            |   | \$1390.00 |
| [ X ]                    | Small Entity Fees Apply (subtract ½ of above):            |            |   | \$695.00  |
| <input type="checkbox"/> | Suspension of action requested under 37 C.F.R. § 1.103(c) |            |   | \$0.00    |
|                          | TOTAL FEE:  |            |   | \$695.00  |

A credit card payment form in the amount of \$695.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date December 21, 2006

By Courtenay C. Brinckerhoff

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 295-4094  
Facsimile: (202) 672-5399

Courtenay C. Brinckerhoff  
Attorney for Applicant  
Registration No. 37,288